

Remarks

Claims 37 – 58 are pending. Claims 37 – 58 are rejected. Claims 1 – 36 were previously canceled. Claims 38, 42, 49, 56, 58 have been canceled. Claims 37, 39 – 41, 38, 50, 52, and 53 have been amended. Applicants respectfully traverse the rejection and request allowance of claims 37, 39 – 41, 43 – 48, 50 – 55, and 57. No new matter has been added.

Claims 48 and 56 – 58 are rejected under 35 USC 102(b) as being anticipated by Saji (5,241,591). Claims 56 and 58 have been canceled. Claim 48 has been amended to include the limitations from claim 49. Amended claim 48 requires “switching from a first processor to a second processor when the device enters the low power mode where the second processor uses less power than the first processor”. Saji does not teach switching from a first processor to a second processor. Claim 57 depends on amended claim 48. Therefore the 102 rejection has been overcome for claims 48 and 57.

Claims 37, 39 – 44, 46, 47, 52, and 55 are rejected under 35 USC 103(a) as being unpatentable over Saji (5,241,591) in view of Bernard (6,625,281).

Claim 37 requires “a plurality of interfaces configured to exchange communications with a plurality of user devices”. Neither Saji nor Bernard have a plurality of interfaces. Saji is only connected to a telephone line (see fig 1). The single telephone line may be used for both fax and phone transmission as the text cited by the examiner indicates, but a single telephone line is not a plurality of interfaces as required by claim 1. The examiner indicates that the “telephone system communicates with a plurality of similar systems via a communications network and hence comprises a plurality of interfaces”. The telephone line that Saji is connected to may in fact be connected to another system that has a plurality of interfaces, but that does not mean that the device in saji has plurality of interfaces. Bernard is also only connected to a telephone line. Therefore the examiner has not met the requirements for a *prima facie* case for a 103 rejection.

Claim 37 also requires that a first processor is configured to switch the power supply from the external power source to the communications network when a loss of power is detected. Saji does not use a processor to switch the power supply between power sources, saji uses a power interruption sensing means (5) (see figure 1) to send the loss of

power signal to a changeover switch (22). The processor in Saji is not involved when the device in Saji switches power sources.

Claim 37 has been amended to require that control is switched from a first processor to a second processor when the loss of power is detected. Saji does not switch from a first processor to a second processor when a loss of power is detected. Saji only has one processor. Bernard does not switch from a first processor to a second processor, Bernard just put its processor into a sleep mode when a loss of power is detected. Barber (6,240,521) is not analogous art. Barber is in the field of portable computers and does not teach or talk about communication interface connections. Furthermore Barber does not talk about loss of power conditions, only about ways to extend the life of a battery. "The teaching or suggestion to make the claimed combination... must both be found in the prior art, and not based on applicant's disclosure." *In re Vaeck*, 947 F.2ed 488, 20 USPQ2ed 1438 (Fed. Cir. 1991). There is no suggestion in Barber to modify or combine the teachings in Barber with a loss of power condition. Barber also teaches that the user switches between the two processors (see the last line in the abstract and column 5, lines 57 – 59). Claim 37 requires that the processor is configured to switch control of the device to the second processor when a loss of power condition occurs. Due to at least the reasons listed above claim 37 is allowable as amended.

Claim 39 has been amended to include all the limitations from old claim 37. Claim 39 has the same limitations as claim 37 with regards to the plurality of interfaces and the processor switching the power supply, therefore the arguments from above apply.

Claim 39 has the additional requirement that the power consumption is lowered by disabling at least one of the plurality of interfaces. The examiner states it would have been obvious to disable one of the plurality of interfaces since disabling components in a system is "well known in the art". This is an unsupported statement of fact. There is no reasoned finding on record indicating that disabling interfaces is a well known way to reduce power consumption when a loss of power is detected. The applicant respectfully request that the examiner supply such a reference or withdraw the rejection based on this unsupported statement. Further nether Saji nor Bernard have a plurality of interfaces to disable. As discussed above, Saji and Bernard only have a single telephone connection. If

they disabled the single connection, they would not need any power, because they could not communicate with anyone.

Claim 40 has been amended to include all the limitations from old claim 37. Claim 40 has the same limitations as claim 37 with regards to the plurality of interfaces and the processor switching the power supply, therefore the arguments from above apply.

Claim 40 has been amended to include the limitation that the processor enters the low power mode by lowering the clock rate. None of the cited art lowers the clock rate to enter a low power mode when a loss of power condition is detected. Therefore claim 40 is allowable as written.

Claim 41 has been amended to include all the limitations from old claim 37. Claim 41 has the same limitations as claim 37 with regards to the plurality of interfaces and the processor switching the power supply, therefore the arguments from above apply.

Claim 41 has the limitation that the power consumption of the device is lowered by lowering the transmission rate of the network interface. The prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). None of the cited art teach lowering the power consumption of the device by lowering the transmission rate of the network interface. The examiner has used impermissible hindsight to modify the cited art to teach lowering the power consumption of the device by lowering the transmission rate of the network interface. The examiner must show a suggestion for lowering the power consumption by lowering the transmission rate in the prior art to make such a modification, therefore claim 41 is allowable as written.

Claim 43 – 47 depend on allowable claim 37 and are therefore allowable.

Claim 49 has been canceled.

Claim 50 has been amended to include all the limitations from old claim 48. Claim 50 requires disabling an interface when the device enters a low power mode. The arguments for claim 39 (above) apply for disabling an interface when entering a low power mode, therefore claim 50 is allowable as written.

Claim 51 depends on allowable claim 50 and is therefore allowable.

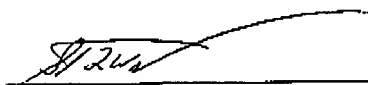
Claim 52 has been amended to include all the limitations from old claim 48. Claim 52 has the limitation that the processor enters the low power mode by lowering the clock

rate. The same arguments made for claim 40 (above) apply to claim 52, therefore claim 52 is allowable as written.

Claim 53 has been amended to include all the limitations from old claim 48. Claim 53 has the limitation that the device lowers its power consumption by lowering the transmission rate of the network interface. Therefore the arguments from claim 41 (above) apply and claim 53 is allowable as amended.

Claim 54 depends on allowable claim 53 and claims 55 and 57 depend on allowable claim 48 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 37, 39 – 41, 43 – 48, 50 – 55, and 57.

  
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